

# THE NEWS OF NORFOLK ON PAGES 2, 3, 5 & 6.

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They are the best shoes in the world at the price, and equal those of the best of other makes that cost from one to two dollars more. We send a pair of either of these grand shoes, prepaid, to any part of the United States on receipt of

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We will forward our beautifully illustrated catalogue to any address, free of charge, if you will simply write us and ask for it; and in this catalogue will be found full directions for measuring your feet, and how to send the money for the shoes with your order.  
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Special facilities for hauling Safes, Boulders, Furniture and Pianos.  
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### COURT DECISIONS.

Notes of Cases Recently Decided, Which are of Interest to Our People.

DIGESTED BY W. B. MARTIN.  
(Exclusively for Virginian-Pilot.)

PHIPPS V. WILSON.  
Supreme Court of North Carolina.  
October 31, 1899.

IN CLAIM AND DELIVERY A COUNTER CLAIM FOR DAMAGES ACCRUING FROM THE SEIZURE OF THE PROPERTY WHICH IS ALLEGED TO BE WRONGFUL, CANNOT BE SET UP, AS IT DID NOT ARISE OUT OF THE SAME CAUSE OF ACTION, NOR EXIST AT THE COMMENCEMENT OF THE ACTION.

This was an action of claim and delivery by Phipps against Wilson. There was a judgment for defendant and plaintiff appealed.

The Court says:  
The plaintiff sued out claim and delivery. The defendant set up as counter claim damages accruing from such seizure, which he alleges was wrongful. There being no reply, his honor gave judgment by default, and inquiry in favor of defendant upon the counter claim. This was error while the issue raised by complaint and answer as to lawfulness of the seizure was undetermined. Besides such counter claim could not be set up in this action, not arising out of the same cause of action, nor existing at the commencement of the action. Reversed.

BICE V. STATE.  
Supreme Court of Georgia.  
October 26, 1899.

THE LAW FORBIDDING THE CARRYING LIQUOR TO A CHURCH IS VIOLATED BY A PARTY WHO ATTEMDS A CHURCH AND LEAVES A BOTTLE OF WHISKEY IN HIS BUGGY NEAR THE CHURCH.

Ben Bice was convicted of carrying intoxicating liquor to a church and appealed.

The facts appear from the opinion of the Court.

The Court says:  
It was shown that Bice went to Hope-well Church, in Monroe county, carrying his wife in a buggy; that on arriving there he detached his mule, and left the buggy one or two hundred yards further out from the church than where other buggies were left; that he had some whiskey in a bottle, which he left in his buggy when he and his wife went into the church building, where a religious meeting was in progress. This was on a Sunday in August, 1899. Defendant admitted that he had a small quantity of whiskey, which he left in his buggy. His defense was that his wife was sick, and for two years had been troubled with heart disease, and that a physician furnished him the whiskey, and told him it was necessary to take it along for her. The motion for new trial is based on the grounds that the verdict is contrary to law and against the evidence, and because the court, in effect, charged the jury that it was unlawful for the defendant to carry liquor to a church, even under the direction of a physician who had prescribed whiskey as a medicine for his wife, who accompanied him, and that no one can take liquor to church, even as a medicine except a physician. In cases of accident or misfortune, liquor may be carried to a church and used, but not otherwise, except by a physician, etc.

Two points are raised in the brief of counsel for plaintiff in error: First, that the place at which the liquor was carried and left was several hundred yards from a church or place where people assembled for Divine worship, and that this did not constitute a violation of the law; second, that taking spirituous liquor to a church for the use of a sick person who might need it was not within the contemplation of the statute. Neither of these contentions is, in our judgment, sound. Section 438 of the Penal Code positively forbids any person from carrying to a church, or other place where the people have assembled for Divine worship, any liquor or intoxicating drink. To the mandatory provision of the law certain exceptions are contained in section 441, Id. The exceptions named are that it shall not be unlawful to use intoxicating liquors at such places in case of accident or misfortune; nor are practicing physicians prohibited from carrying and using such liquor as they might deem necessary in their regular practice. It is contended that these sections of the Code should be strictly construed. We think so, too, but not so strictly as to defeat the evident purpose which was intended to be accomplished. The object of the provision of the law was to absolutely prevent the indulgence in intoxicating liquor at a church where people were assembled for worship. The entire object of the provision would be defeated if it was so construed as to permit persons to take such liquors to a point within one or two hundred yards of the church building, within ready reach of the thirty. It was hardly contemplated that the statute would only be violated by taking the liquor into a church. Certainly its purpose was to preserve order, and promote that decorous conduct on the part of those who attend the services as befits the occasion, and to absolutely prohibit the introduction into the assembly of an influence which might defeat these objects. Taking into consideration the purposes of the act on which the section of the Code is founded, a fair and even strict construction requires us to hold that, when it forbids carrying intoxicating liquor to a church, it means also to

**Dr. Bull's Cough Syrup**  
The best remedy for Consumption, Cures Coughs, Colds, Grippe, Bronchitis, Hoarseness, Asthma, Whooping-cough, Croup. Small doses; quick, sure results. Dr. Bull's Pills cure Constipation. Trial, 20 for 3c.

### "A Fair Outside Is a Poor Substitute For Inward Worth."

Good health, inwardly, of the kidneys, liver and bowels, is sure to come if Hood's Sarsaparilla is promptly used.

This secures a fair outside, and a consequent vigor in the frame, with the glow of health on the cheek, good appetite, perfect digestion, pure blood.

Catarrh—"I have had no return of the catarrh which troubled me for years, since Hood's Sarsaparilla cured me." Mrs. J. M. Martin, Washington St., Ogdensburg, N. Y.

Dyspepsia—"Complicated with liver and kidney trouble, I suffered for years with dyspepsia, with severe pains. Hood's Sarsaparilla made me strong and hearty." J. B. Emswiler, Main Street, Auburn, Me.

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Never Disappoints

Hood's Pills cure liver ills; the non-irritating and only cathartic to take with Hood's Sarsaparilla.

forbid its introduction to a place in such immediate proximity to the church building as to make it readily accessible to those who may desire to use it. This court has ruled that an indictment charging one with disturbing a congregation "at" a named church is supported by proof that the congregation was disturbed at a bush arbor near such church. The principle as to place, there ruled, governs the first point made by the plaintiff in error. Nor do we think the charge of the court complained of was error. It is well enough to provide against sickness, not only in the form of heart disease, but of colic, cramps, and the like, as well; but, under the statute we are considering, such a provision cannot lawfully be made by carrying the medicine to church, if such medicine be whiskey or other intoxicating liquor, and, if one should unfortunately be subject to any of these ills, he must either stay at home, or, if he wishes to provide against sudden attacks, take with him some other kind of medicine. A practicing physician may lawfully carry and use at a church such intoxicating liquor as he may deem necessary in his regular practice, but a layman cannot, when advised so to do by a physician. As to this matter, the privilege given by law to the physician is by the same law withheld from the layman. The statute itself fixes the exceptions to the operation of the law. To these we cannot make any addition. Affirmed.

### AMUSEMENTS.

NEXT WEEK'S ATTENTIONS AT THE ACADEMY.  
Monday next, for two performances, matinee and night, John E. Henshaw and May Ten Broeck, supported by their clever company, will present their successful musical farce, entitled "Dodge's Trip to New York." This piece was presented at the Academy Christmas before last, and delighted the large audiences present on that day. Seats at now on sale at the box office. Prices from 25c. to \$1. Matinee 50c., any seat.

"A BACHELOR'S HONEYMOON."  
Wednesday, matinee and night, will bring another of last season's successes to the Academy—Warde and Sackett, comedians—in "A Bachelor's Honeymoon." The company this year is headed by that clever little artist, Miss Delia Stacy. The seats for this attraction will be placed on sale next Monday morning, the regular house prices prevailing—viz.: 25, 50, 75c. and \$1.

ROLAND REED.  
"His Father's Boy," which Roland Reed will present here for the first time next Thursday, December 7th, is the latest production of Sydney Rosenfeld, and is undoubtedly the best play that this playright has yet given Mr. Reed, and Roland Reed's many admirers will have the opportunity of seeing their favorite actor in a role entirely different from any in which he has recently appeared. Sale of seats will commence Tuesday, November 5th. Prices: \$1.50, \$1, 50 and 25c.

PROTESTANT HOSPITAL COURSE.  
The third entertainment in the Norfolk Protestant Hospital Course will be given at the Academy of Music Tuesday evening of next week. Mr. Edward P. Elliott, impersonating modern comedies, will be the attraction. In speaking of one of Mr. Elliott's entertainments the New York Tribune says: "His rendition was thoroughly delightful. A beautiful story, arranged and handled with remarkable skill. It was a charming entertainment."

### ROYAL ARCANUM.

NORFOLK COUNCIL ELECTS OFFICERS FOR ENSUING YEAR.

At the regular meeting of Norfolk Council No. 223, Royal Arcanum, held in its hall, Ballentine building, last evening, the following officers were elected for the current year:

Henry Brandt, regent; S. M. Dodamead, past regent; P. S. Cook, vice-regent; A. T. Hofheimer, orator; T. B. Jackson, secretary; W. N. Grubb, treasurer; H. Hodges, collector; J. W. Bassett, guide; B. A. Marsden, chaplain; W. H. Hofheimer, warden; D. L. Goldman, sentry; Fred. Greenwood, B. A. Marsden, H. E. Chase, trustees; W. H. Hofheimer, Henry Brandt, auditing committee; H. E. Chase, representative to Grand Council; Fred. Greenwood, alternate.

Special Deputy Grand Regent Harry Kemp paid the council an official visit and gave an encouraging account of the increasing membership of the Arcanum in Virginia and elsewhere, as well as of the splendid financial condition of the order. Brother Kemp presented one application to the council and expects to obtain others in the near future.

Discharge in Bankruptcy.  
Judge Waddill, of the United States Court, yesterday granted a discharge in bankruptcy to Charles M. Baldwin.

### DIVINE SERVICES SUNDAY.

#### METHODIST CHURCHES.

Edworth, corner of Freemason and Boush streets—Preaching by the new pastor, Rev. A. Coke Smith, D. D., at 11 a. m. and 7:30 p. m. Sunday school at 9:15 a. m.

Centenary, corner of Boush and Queen streets—Preaching by the new pastor, Rev. R. M. Chandler, at 11 a. m. and 7:30 p. m. Sunday school at 9:15 a. m.

Queen, corner of Pulaski and Queen streets—Preaching by the pastor, Rev. S. C. Hatcher, at 11 a. m. and 7:30 p. m. LeKies Memorial, corner of Camp and Port street, Atlantic City—Preaching by the new pastor, Rev. Graham H. Lambeth, at 11 a. m. and 7:30 p. m. Sunday school at 9:30 a. m.

McKendree, corner of Clay and Claiborne avenues, Brambleton—Preaching by the new pastor, Rev. W. R. Proctor, at 11 a. m. and 7:30 p. m. Sunday school at 9:30 a. m.

Trinity, corner of Maltby and Corprew avenues, Brambleton—Preaching by the new pastor, George Wesley Jones, at 11 a. m. and 7:30 p. m. Sunday school at 9:30 a. m.

Cumberland, between Holt and Cove streets—Preaching by the pastor, Rev. H. Johnson, D. D., at 11 a. m. and 7:30 p. m. a. temperance service, at which address will be made by Miss Belle Kearney, national lecturer of the W. C. T. U.

Huntersville, Johnson avenue—Preaching by the pastor at 11 a. m. and 7:30 p. m. Sunday school at 9:30 a. m.

#### PRESBYTERIAN.

First Church, street between Holt and Cove—Preaching by the pastor, Rev. Edward Mack, D. D., at 11 a. m. and 7:30 p. m. Sunday school at 9:30 a. m. Westminster League prayer meeting at 6:45 p. m.

Second, Freemason street, near Boush—Preaching by Rev. Dr. W. W. Moore, of Union Theological Seminary, Richmond, at 11 a. m. and 7:30 p. m. Sunday school at 9:30 a. m.

Park Avenue, Brambleton—Preaching by the pastor, Rev. E. B. McCluer, at 11 a. m. and 7:30 p. m. Sunday school at 9:30 a. m.

Colley Memorial, Atlantic City—Preaching by the pastor, Rev. C. W. Maxwell, at 11 a. m. and 7:30 p. m. Sunday school at 9:30 a. m.

Lambert's Point, Shenandoah avenue—Preaching by the pastor, Rev. C. D. Gilkerson, at 11 a. m. and 3:30 p. m. This service will be held at the above hour during the winter months.

Park Place—Preaching by the pastor, Rev. G. W. Lawson, at 11 a. m. and 7:30 p. m. Sunday school at 9:30 a. m.

#### CHURCH OF CHRIST.

Freemason, between Bank and Brewer streets—Preaching by the new pastor, Rev. Ben. C. Herr, of Lexington, Ky., at 11 a. m. and 7:30 p. m. Sunday school at 9:45 a. m. Christian Endeavor Society meeting at 6:30 p. m.

#### LUTHERAN.

First Church, Charlotte, between Bank and Brewer streets—Preaching by the pastor, Rev. J. E. Shenk, at 11 a. m. and 7:30 p. m. Sunday school at 10 a. m.

#### CHRISTIANITY.

Memorial Temple, corner of Cooke and Tustall avenues, Brambleton—Preaching by Rev. J. W. Hypos, evangelist of Salem, Va., at 11 a. m. and 7:30 p. m. Revival services at night.

#### Hatters and Furriers.

Sydney Sherwood & Co., hatters and furriers, are showing a handsome display of holiday goods. The very thing in furs to make a homely girl pretty and a pretty girl handsome. Silk hats for the well dressed and up-to-date man. Head gear for the golf fancier. Furs to keep warm and make the little ones happy and swell umbrellas for ladies and gentlemen.

#### A Difficult Feat.

Irwin & Co., machinery movers, performed a notable feat yesterday in moving the large two-revolution cylinder press of Burke & Gregory from their office on Roanoke avenue, to their new place, at the corner of Plume and Randolph streets, without taking the aforesaid press to pieces. This is the largest moving order ever undertaken by truck in this city.



**SYRUP OF FIGS**  
ACTS GENTLY ON THE KIDNEYS, LIVER AND BOWELS  
CLEANSSES THE SYSTEM  
DISPELS EFFECTUALLY, COLDS, HEADACHES, OVERCOMES & FEVERS  
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ITS BENEFICIAL EFFECTS.  
TO GET PERMANENTLY  
BUY THE GENUINE—MAN'FD BY CALIFORNIA FIG SYRUP CO.  
FOR SALE BY ALL DRUGGISTS, PRICE 50c PER BOTTLE.

### BRIEF ITEMS OF INTEREST.

Mr. Ben Sellg has accepted a position with Messrs. J. Bennett & Bro., the Main street jewellers.

There will be a meeting of the Volunteer "Y's" at 513 Freemason street tonight at 8 o'clock. All the members are earnestly requested to be present.

Judge Edmund Waddill, Jr., of the U. S. District Court, arrived in the city yesterday. He will return to Richmond to-day.

Thanksgiving services were held at the Ohef-Sholem Temple last night. The sermon was preached by Dr. Cohen.

The schedules of the Norfolk and Southern and the Norfolk, Virginia Beach and Southern road have been combined in one advertisement.

Mr. William P. Roane, a well-to-do farmer and one of the oldest residents of Middlesex county, Va., died at his home near Stormont's P. O., Va., Sunday last, November 26th. The funeral and interment took place at the old homestead Tuesday last. He leaves a widow.

Owing to the absence of counsel, the oyster case which was to have come up before Justice Hawks, in Huntersville, yesterday, had to be postponed until next week.

The Little Newsboys and the Tigers played a game of football yesterday, the score standing 5 to 0 in favor of the former.

Williamsburg Letter: "Mrs. H. D. Cole is visiting her sister, Mrs. Edwin T. Lamb, in Norfolk. Before returning Mrs. Cole will extend her trip to New York with a party from Norfolk."

### MISS BELLE KEARNEY.

OF MISSISSIPPI AT Y. M. C. A. SUNDAY AFTERNOON.

Miss Belle Kearney, of Mississippi, the world-renowned lecturer, who has addressed great audiences all through the United States, Canada and Europe, and who has just returned from a tour through the north and West, will address the public meeting in Association Hall Sunday afternoon at 4 o'clock. Miss Kearney is a native Southerner and a descendant of Virginia ancestors, her grandfather having been a native of this State. While in London she was introduced by Lady Henry Somerset. Miss Kearney is prominently connected with the Y's of the W. C. T. U., and is spoken of by the press as one of Mississippi's purest, fairest and most gifted daughters. Her addresses are said to be models, spicy, eloquent, logical and entertaining. Last Sunday she held a great audience spellbound in Washington, D. C., and was given a perfect ovation at its close. She is a lady of pleasing appearance and most attractive manner, gentle and womanly, with a sweet voice under perfect control. She is a fluent talker, and her choice of language excellent. The meeting Sunday will be open to both ladies and gentlemen. There will be a special musical program consisting of vocal and instrumental selections.

### Hotel Managers Change.

Yesterday's Baltimore Sun says: Mr. James P. Shannon, who for many years has managed the Carrollton Hotel, will to-day sever his connection with that hotel and will assume the management of the Eutaw House, which he recently leased from Sylvanus Stokes. Messrs. Edmund P. Herbert, Samuel A. Hoover and Hubert Conroy will also leave the Carrollton and go to the Eutaw House. The former will be chief clerk and the others assistants. Mr. Shannon expects to make a number of improvements in the Eutaw House.

### Congressman Young Off.

Hon. Wm. A. Young, of this city, Congressman-elect from the Second district, left yesterday for Washington. This afternoon he will attend the caucus of the Democratic members of the House of Representatives. He personally favors Bailey, of Texas, for leader on the floor of the House, but as the Texan is not in the field, Mr. Young is undecided as to for whom he will vote.

### Thanksgiving Evening.

A very pleasant day and evening was spent at Mrs. J. T. Wright's, Arlington Cottage, Va., Beach, Thursday. Mrs. Wright gracefully entertained friends from the W. C. Matthews county, and Norfolk. The time was very pleasantly spent with games, vocal and instrumental music and tempting refreshments.

### OTHER LOCAL ON PAGE 6

### Economy Heat Regulators

FOR OPEN FIREPLACES.  
The Economy Heat Regulator is a simple contrivance for controlling the heat in open fire places. It is a cast iron plate so constructed as to be easily adjusted to any chimney.

A COAL SAVER OF 25 PER CENT.  
A HEAT GIVER OF 33 1/3 PER CENT. over grates without regulators.

COOKE, CLARK & CO.  
Grates of all kinds. SOLE AGENTS.

**SAKS & COMPANY.**  
Our Stock is Larger than Ever Before.

All the latest ideas and designs produced this year are now on exhibition at our store more abundantly than ever. Our line of

### STERLING TOILET WARE.

Is the handsomest ever shown in Norfolk. We have Brushes and Combs for \$2.00 per set, all sterling. Larger and more elaborate designs for \$1.00 and \$5.00 in cases, and with mirrors, \$8.00 and \$12.00 are beauties. Our specialty this year is Rings. Our stock of these goods is tremendous. New patterns from the smallest baby ring to the finest diamond.

### We Have Silver Novelties in the Greatest Abundance.

Tooth Powder, Tooth Brush and Hair Pin Bottles, sterling tops, 35c. each. Silver Heart Bracelets with rings for hearts, 75c. complete with hearts, \$2.50. Lock Bracelets, 97 cents. Solid gold. The largest line of Watches, gold and silver, ever seen in this section at prices lower than ever. A nice silver watch for boy or girl at \$5.00. Ladies' Solid Gold Watch, \$15.00, filled case watch, \$10.00—all good movements. Our quadruple plated Tea Set, 5 pieces, at \$15.00 a great bargain.

### A BEAUTIFUL LINE OF CHAFING DISHES.

from \$2.00 to \$5.00 each. Fine Pocket Books and Card Cases at all prices from 50c. to \$10.00 each—new and elaborate designs. In point of goods we are second to none, and our prices we guarantee the lowest.

**CHAPMAN & JAKEMAN.**  
The Live Jewelers. Cor. Main and Bank Sts.